

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

TROY W. THOMAS,

Petitioner,

v.

Civil Action 2:09-CV-141  
Criminal Action 2:06-CR-21  
Judge Marbley  
Magistrate Judge King

UNITED STATES OF AMERICA,

Respondent.

ORDER

On May 12, 2009, petitioner was directed to submit, within twenty (20) days, a written waiver of his attorney-client privilege as it relates to the claims raised in the petition. Doc. No. 59. The certified mail copy of that order sent to the petitioner was returned with the notation "refused." Doc. No. 60. The regular mail copy of that order sent to the petitioner was returned with the notation "attempted - not known - unable to forward." Doc. No. 61.

On June 1, 2009, petitioner was ordered to show cause why the case should not be dismissed for want of prosecution and was advised that his failure to respond to that order will result in the dismissal of the action. Doc. No. 62. The regular and certified mail copy of that order sent to petitioner at the only address provided by him were returned with the notation "NOT AT FCI LORETTA." Doc. No. 63. It therefore appears that the petitioner has abandoned this litigation.

Under these circumstances, this action is hereby **DISMISSED**,  
**without prejudice.**

s/Algenon L. Marbley  
Algenon L. Marbley  
United States District Judge